

10/068,584

Practitioner's Docket No. 16139/09017

Cofc
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6,821,782 B2

Issued: November 23, 2004

Name of Patentee: Laszlo Marton and Mihaly Czako

Name of Assignee: University of South Carolina Research Foundation

Title of Invention: Sustained Totipotent Culture Of Selected Monocot Genera
Certificate

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JAN 05 2005

of Correction

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR APPLICANT'S MISTAKE (37 C.F.R. § 1.323)**

1. It is noted that an error appears in this patent of a typographical nature or character, as more fully described below. It occurred in good faith. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is requested.
2. Attached hereto, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.
3. The exact page and line number where the error occurs in the application as filed are:

Page 4, line 25 replace the term "plant." with the term --- plant ---.

Page 4, line 29 replace the term "plant." with the term --- plant ---.

Page 9, line 12 replace the terms "that is obtained" with the terms --- that it is obtained ---.

Page 11, line 30 replace the terms "may also" with the terms --- may also be ---.

Page 12, line 15 replace the term "it" with the capitalized term --- It ---.

Page 21, line 20 replace the term "titopotent" with the term --- totipotent ---.

Page 21, line 24 replace the term "titopotent" with the term --- totipotent ---.

Page 21, line 25 replace the term "titopotent" with the term --- totipotent ---.

4. Please send the Certificate to:

Charles E. Dunlap
Nelson Mullins Riley & Scarborough, LLP
P. O. Box 11070
Columbia, SC 29211

5. Please pay the fee required by 37 C.F.R. § 1.20(a), as follows:

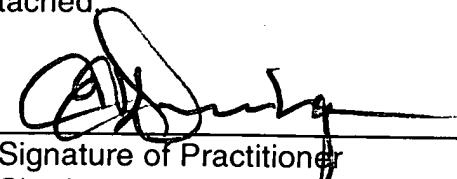
Attached is a check in the amount of \$100.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: December 27, 2004

Reg. No.: 35,124
Telephone No.: 864-250-2238
Facsimile No.: 803-255-9831
Customer No.: 27530



Signature of Practitioner
Charles E. Dunlap
Nelson Mullins Riley & Scarborough, LLP
P. O. Box 11070
Columbia, SC 29211

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Patent Number: 6,821,782 B2

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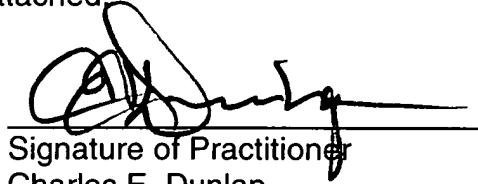
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Nelson Mullins Riley & Scarborough, LLP

P. O. Box 11070

Columbia, SC 29211



DEC 29 2004

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	100.00
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Complete if Known

Application Number	Patent No. 6,821,782 B2
Filing Date	Issued November 23, 2004
First Named Inventor	Laszlo Marton, et al.
Examiner Name	Wendy C. Haas
Art Unit	1661
Attorney Docket No.	16139/09017

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-2548 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
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50	25
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Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
-----	-----

Total Claims

Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP = _____ x _____ = _____

Multiple Dependent Claims

Fee (\$)	Fee Paid (\$)
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HP = highest number of total claims paid for, if greater than 20.

Indep. Claims

Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	----------	---------------

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Request for Certificate of Correction of Patent (Applicants' Mistake)

100.00

SUBMITTED BY

Signature	Charles E. Dunlap, Esq.	Registration No. (Attorney/Agent) 35,124	Telephone 864-250-2238
Name (Print/Type)			Date December 27, 2004

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 07 2005

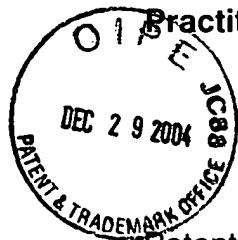


Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



Practitioner's Docket No. 16139/09017

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6,821,782 B2

Issued: November 23, 2004

Name of Patentee: Laszlo Marton and Mihaly Czako

Name of Assignee: University of South Carolina Research Foundation

Title of Invention: Sustained Totipotent Culture Of Selected Monocot Genera

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. § 1.322(a))**

1. Attached, in duplicate, is PTO/SB/44 (also Form PTO-1050), with at least one copy being suitable for printing.

2. The exact page and line number where the errors are shown correctly in the pertinent documents (i.e., Notice of References Cited, Preliminary Amendment, Amendment and Response, and application) in file are:

The term "Pant-tc" appears correctly as "Plant-tc" as cited by Examiner in **Notice of References Cited** as part of the Office Action mailed 04/22/2003.

The term "cocultivated" appears correctly as "cocultivated" in the **Preliminary Amendment under 37 U.S.C. § 1.115** filed May 20, 2002 on page 1 under In The Specification, line three.

The terms "shows photographs" appear correctly as "shows a photograph" in the **Preliminary Amendment under 37 U.S.C. § 1.115** filed May 20, 2002 on page 2 under In The Specification, line six.

The term "altemiflora" appears correctly as "alterniflora" in the **Amendment and Response to Office Action Under 37 C.F.R. § 1.111** filed July 21, 2003 on page 3, line eight.

The terms "parts Callus" appear correctly as "parts. Callus" in the **application** as filed 02/05/2002.

The terms "culture tissue," appear correct as "culture tissue." in the **application** as filed 02/05/2002.

The terms "Figure 3" appear correctly as "Figure 1" in the **Preliminary Amendment under 37 U.S.C. § 1.115** filed May 20, 2002 on page 2 under In The Specification, line 29.

The terms "Figure 3C" appear correctly as "Figure 1C" in the **Preliminary Amendment under 37 U.S.C. § 1.115** filed May 20, 2002 on page 3 under In The Specification, line one.

The terms "Figure 3A" appear correctly as "Figure 1A" in the **Preliminary Amendment under 37 U.S.C. § 1.115** filed May 20, 2002 on page 3 under In The Specification, line three.

The term "show" appears correctly as "shown" in the **application** as filed 02/05/2002.

The term "altemiflora" appears correctly as "alterniflora" in the **Response to Office Action Under 37 C.F.R. §1.116(b)** filed 03/28/2004 on page 2 under Amendments to Claims, line five.

The terms "a containing cytokinin" appears correctly as "containing a cytokinin" in the **Response to Office Action Under 37 C.F.R. §1.116(b)** filed 03/28/2004 on page 5 under Amendments to Claims, line one.

3. Please send the Certificate to:

Name: Charles E. Dunlap
Address: Nelson Mullins Riley & Scarborough, LLP
Nelson Mullins Riley & Scarborough, LLP
P. O. Box 11070
Columbia, SC 29211

Date: December 27, 2004



Charles E. Dunlap, Attorney of Record
Registration No. 35,124
Customer No.: 27530

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,821,782 B2 (Attorney Docket No. 16139/09017)

DATED : November 23, 2004

INVENTOR(S) : Laszlo Marton and Mihaly Czako

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Other Publications, 8th reference, replace "Pant-tc" with the terms --- Plant-tc ---.

At Column 3, line 11, replace the term "plant." with the term --- plant ---.

At Column 3, line 17, replace the term "plant." with the term --- plant ---.

At Column 3, line 63, replace the term "cocultivated" with the term --- cocultivated ---.

At Column 4, line 4, replace the terms "shows photographs" with the terms --- shows a photograph ---.

At Column 4, line 34, replace the term "altemiflora" with the term --- alterniflora ---.

At Column 5, line 40, replace the terms "that is obtained" with the terms --- that it is obtained ---.

At Column 7, line 1, replace the terms "may also" with the terms --- may also be ---.

At Column 7, line 20, replace the term "it" with the capitalized term --- It ---.

At Column 9, line 34, replace the terms "parts Callus" with the terms --- parts. Callus ---.

At Column 11, line 45, replace the term "tissue," with the term --- tissue. ---.

At Column 12, line 16, replace the terms "FIG. 3" with the terms --- FIG. 1 ---.

At Column 12, line 19, replace the terms "FIG. 3C" with the terms --- FIG. 1C ---.

At Column 12, line 21, replace the terms "FIG. 3A" with the terms --- FIG. 1A ---.

At Column 12, line 29, replace the term "titopotent" with the term --- totipotent ---.

At Column 12, line 34, replace the term "titopotent" with the term --- totipotent ---.

At Column 12, line 36, replace the term "titopotent" with the term --- totipotent ---.

At Column 12, line 50, replace the term "show" with the term --- shown ---.

At Column 13, line 9, replace the term "altemiflora" with the term --- alterniflora ---.

At Column 14, line 34, replace the terms "a containing cytokinin" with the terms --- containing a cytokinin ---.

MAILING ADDRESS OF SENDER: Nelson Mullins Riley & Scarborough
 Attention: Charles E. Dunlap
 P. O. Box 11070
 Columbia, SC 29211

PATENT NO. 6,821,782 B2 (16139/09017)

No. of additional copies

0

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 07 2005

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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JAN 07 2005



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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

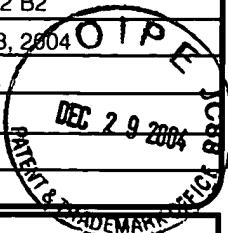
FEE TRANSMITTAL

For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 100.00)

Complete if Known	
Application Number	Patent No. 6,821,782 B2
Filing Date	Issued November 23, 2004
First Named Inventor	Laszlo Marton, et al.
Examiner Name	Wendy C. Haas
Art Unit	1661
Attorney Docket No.	16139/09017



DEC 29 2004
PATENT & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-2548 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity Fee (\$)	Fee (\$)	Fee (\$)
- 20 or HP =	x	=	HP = highest number of total claims paid for, if greater than 20.	50	25	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	HP = highest number of independent claims paid for, if greater than 3.	200	100	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Request for Certificate of Correction of Patent (Applicants' Mistake)

100.00

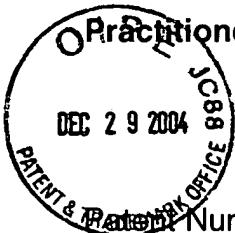
SUBMITTED BY

Signature	Charles E. Dunlap, Esq.	Registration No. (Attorney/Agent) 35,124	Telephone 864-250-2238
Name (Print/Type)	Date December 27, 2004		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 07 2005



Practitioner's Docket No. 16139/09017

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Number: 6,821,782 B2

Issued: November 23, 2004

Name of Patentee: Laszlo Marton and Mihaly Czako

Name of Assignee: University of South Carolina Research Foundation

Title of Invention: Sustained Totipotent Culture Of Selected Monocot Genera

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence comprising of :

1. Fee Transmittal Sheet (2 pages – original and copy)
2. Request for Certificate of Correction of Patent For Applicants' Mistake (37 C.F.R. Section 1.323) (2 pages– original and copy)
3. Request for Certificate of Correction of Patent For PTO Mistake (37 C.F.R. § 1.322(a)) (2 pages)
4. PTO/SB/44 (04-04) USPTO Certificate of Correction (1 page – original and copy)
5. Check in the amount of \$100.00 (1 page)
6. Return Receipt Postcard (1 page)

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

on December 27, 2004.

Mim Voet

Mim Voet

Signature of person mailing paper